



California Foundation for Independent Living Centers

Honorable Debra Bowen
California Secretary of State
1500 11th Street
Sacramento, CA 95814
Sent via fax (916) 653-4620

August 1, 2007

RE: Top-To-Bottom Review of Voting Systems

Dear Secretary Bowen:

The California Foundation for Independent Living Centers (CFILC) supports public policy that positively impacts the lives of Californians with disabilities. Over 350,000 people with disabilities live more independently as a direct result of the services provided by the 26 Independent Living Centers we represent.

Over the last four years CFILC has been involved in efforts to increase the civic participation of Californians with Disabilities that include outreach campaigns in collaboration with your office, identifying polling place barriers in collaboration with the Attorney's General Office, and mobilizing community members to participate in legislation and public policy decisions related to voting system access. We want to stress that we are interested in equal access to voting systems that are both secure and accessible.

This letter is our formal response to your request for public comment regarding the Top to Bottom Review reports released on July 27, 2007 by the University of California technology detailing their findings related to security and accessibility of California voting systems.

The reports contained findings that question the security and accessibility of the Diebold GEMS 1.18.24/AccuVote; Hart Intercivic System 6.2.1; and Sequoia WinEDS version 3.1.012/Edge/Insight/400-C voting systems. The testers stated that they focused their testing on the technology of the voting systems rather than on the policies, procedures, and laws of the Secretary of State or local election officials intended to compensate for any technological shortcomings.

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- Access Center of San Diego, Inc. - San Diego
- Center for Independence of the Disabled - Belmont
- Center for Independent Living - Fresno
- Central Coast Center for Independent Living - Salinas
- Communities Actively Living Independent & Free - Central LA
- Community Access Center - Riverside
- Community Rehabilitation Services - Los Angeles
- Community Resources for Independence - Santa Rosa
- Community Resources for Independent Living - Hayward
- Dayle McIntosh Center for the Disabled - Anaheim
- Disability Resources Agency for Independent Living - Modesto
- Disabled Resources Center - Long Beach
- FREED Center for Independent Living - Grass Valley/Marysville
- Independent Living Center of Kern County - Bakersfield
- Independent Living Resource Center San Francisco - San Francisco
- Independent Living Resource Center of Contra Costa & Solano Counties - Concord
- Independent Living Resource Center - Santa Barbara/Ventura/S.L.O.
- Marlin Center for Independent Living - San Rafael
- Placer Independent Resource Services - Auburn
- Rolling Start, Inc. - San Bernardino/Inyo/Mono
- Independent Living Center - East San Gabriel Valley
- Silicon Valley Independent Living Center - San Jose
- Southern California Rehabilitation Services - Downey
- Tri-County Independent Living, Inc. - Eureka
- Westside Center for Independent Living - Los Angeles

We oppose any decertification of the voting systems as a means to address security flaws.

As stated in section six of the overview report, there is now information contained in the reports that would allow the voting system vendors to take corrective action to mitigate or eliminate security vulnerabilities. Coupled with the engagement of County Election Officials to identify and implement compensating controls, including the development of security plans that address physical security, security training of staff and poll-workers, and contingency planning, we believe will address the most significant security issues.

We oppose any decertification of the voting systems as a means to address accessibility flaws. Not surprisingly the Accessibility Report concluded that the voting systems tested were non-compliant with the accessibility requirements of the Help America Vote Act and the 2005 Voluntary Voting System Guidelines. The Accessibility Report recommends short-term and long-term mitigation strategies to address the identified deficiencies.

CFILC supports the use of short-term remedial mitigation measures for the 2008 elections as an *alternative* to decertification. We urge you to advise County election officials as well as the Hart, Sequoia, and Diebold vendors to implement the measures identified in the report.

CFILC urges you to consider a long-term strategy that actively seeks out, reviews, and certifies new technologies and voting systems that refine and enhance the promise of a secure, accessible, private, and independent vote for Californian's with disabilities.

Decertification of these voting systems would result in decreased access for with voters with disabilities and voters with limited English proficiency. Decertification, without an identified and readily accessible replacement system, will result in the disenfranchising of the disability community in all of its diversity at a critical time in our nation's history, in violation of federal and state law.

Best regards,

A handwritten signature in black ink, appearing to read 'Teresa Favuzzi', with a stylized flourish at the end.

Teresa Favuzzi, M.S.W.
Executive Director